

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X
	:
HUAWEI TECHNOLOGIES, CO., LTD, <i>et al.</i>	:
Plaintiffs,	:
-against-	:
PANOPTIS PATENT MANAGEMENT, LLC,	:
Defendant.	:
	X

ALVIN K. HELLERSTEIN, U.S.D.J.:

Plaintiffs Huawei Technologies Co. Ltd., Huawei Device Co., Ltd., and Huawei Device (Shenzhen) Co., Ltd., which are all incorporated—and have their principal places of business located—in China, sue Defendant PanOptis Patent Management, LLC, a Delaware limited liability corporation (“LLC”). *See* Compl. at ¶¶ 6-9. The alleged jurisdictional basis is diversity of citizenship, pursuant to 28 U.S.C. § 1332. *See* Compl. at ¶ 12. LLCs are deemed to be citizens of all the states in which their constituents are citizens. *See Handelsman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51 (2d Cir. 2000); *see also Americold Realty Trust v. Conagra Foods, Inc.*, 136 S. Ct. 1012, 1014 (2016) (“While humans and corporations can assert their own citizenship, other entities take the citizenship of their members.”). Here, the Complaint has failed to identify each of the members of the underlying LLC and allege their respective citizenships.

The Complaint is dismissed, with leave to replead an adequate basis of diverse citizenship no later than 21 days from the entry of this Order.

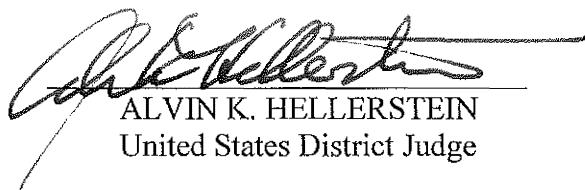
**ORDER DISMISSING
COMPLAINT FOR LACK OF
SUBJECT-MATTER
JURISDICTION**

24 Civ. 4708 (AKH)

The initial pretrial conference, scheduled for December 13, 2024 at 10 a.m., is vacated.

SO ORDERED.

Dated: December 10, 2024
New York, New York



ALVIN K. HELLERSTEIN
United States District Judge